#EO-212
RH

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

July 8, 2005

Mr. David Coburn, Esq.
Steptoe & Johnson, LLP
1330 Connecticut Avenue, NW
Washington, DC 20036-1795

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company Construction and Operation Exemption – Medina County, TX: **Request for Information**

Dear Mr. Coburn:

As you know, the Section of Environmental Analysis (SEA) is in the process of reviewing and responding to comments we have received on the Draft Environmental Impact Statement (Draft EIS) for Southwest Gulf Railroad Company's (SGR) proposed rail line construction and operation, issued on November 5, 2004. We appreciate your April 4, 2005 response to our information request, dated February 15, 2005, and your supplemental letter of June 6, 2005. The information you have provided about your proposed rail line construction project has assisted SEA in being as responsive as possible to the comments raised.

Following our careful review of both the comments and your letters, we have some follow-up questions. Consequently, if you could provide the information requested below, I believe that our efforts in drafting thorough and comprehensive responses to the comments – particularly those questioning certain details of SGR's proposed rail line construction and operation, potential alternatives, and the proposed quarry operations – would be greatly facilitated. If any of the requested information is unavailable, please provide an explanation in your response.

Consideration of Alternative Rail Routes: SEA conducted an in-depth assessment of four rail alignments in the Draft EIS. In addition to information about the four alignments considered in depth, SGR has previously provided some information regarding two alignments that would be further to the east than the alignments considered in depth (SGR's Modified Medina Dam Route and the Eastern Bypass Route). Comments to the Draft EIS have suggested that there may be other rail alignments that may be environmentally preferable to the alignments considered in depth, and have specified a particular routing that they believe would be preferable (see #EI-1361 for the Medina County Environmental Action Association's (MCEAA) Modified Medina Dam Route).

Numbers 1-8 set forth information that SEA needs to determine the extent to which alignments, other than those assessed in depth in the Draft EIS, should be considered in the environmental review process. Please provide the requested information for all alternatives identified to date (i.e. the proposed route, Alternative 1, Alternative 2, Alternative 3, SGR's Modified Medina Dam Route, MCEAA's Modified Medina Dam Route, and the Eastern Bypass Route) to the extent available.

1. SEA recognizes that SGR may not have the detailed information requested in Numbers 2-8 for MCEAA's Modified Medina Dam Route, since information previously submitted by SGR did not provide the cut and fill numbers for this route, and this route has been proposed by MCEAA, not SGR. Therefore, if the information provided in response to Numbers 2-8 does not include information regarding MCEAA's Modified Medina Dam Route, SEA requests SGR to provide a discussion of SGR's assessment of this route in general terms.

2. Please provide the back up calculations that SGR used to support the cut and fill volumes provided in the April 4, 2005 and June 6, 2005 letters to SEA. Please include any drawings showing cross-sections with stationing, from which end areas would have been determined for use in calculating volumes.

3. Please provide the typical roadbed cross-section template SGR used in modeling the proposed roadbeds showing roadbed widths, side slopes, ditches, and berms. If more than one typical template was used, please provide all templates and the corresponding station limits along which the templates were applied to determine the cut and fill quantities. Please specify the type of material(s) that were used for the rail bed (soil, rock, etc).

4. Please provide any plans showing areas anticipated to be undercut along with the extent of undercutting to be done and the source material used to determine those areas requiring undercutting.

5. Please provide grade profiles of each of the alternative rail routes. The profiles should show the existing grade (ground elevations at the present time) and where SGR plans for the subgrade (roadbed elevation at the earth and sub-ballast interface) of the rail line to be (proposed construction grade). Please indicate on these profiles the locations where cut and fill would be needed.

6. Please provide one map with the following features: existing and proposed topography (using five foot contours and a 1:24000 scale map or larger (1 inch = 1000 feet scale is preferable); 100-year floodplain; streams; proposed alternatives; and limits of grading/disturbance. Each alternative rail route should be clearly marked and stationed, and contour lines clearly visible and legibly annotated. Please also provide the most recent aerial photograph (with map scale) showing the rail alignments.

7. Please provide the top of rail bed elevation at the point where the proposed track would leave the existing UP track and the proposed top of rail bed elevations for the track as it would enter the quarry, using the location of the assumed gate over the tracks as the entry point. Also, please provide the length of the rail for each alignment so that the average gradient change can be determined throughout each alignment. We note that SGR has previously provided information indicating that the proposed route and Alternative 2 would each be approximately seven miles in length, Alternative 1 would be nine miles in length, and Alternative 3 would be 7.5 miles in length.

8. In addition to the berms called for in the typical cross section requested in item 2, please provide information regarding the proposed location of any earthen berms that would be used for stormwater runoff or flood control and their height relative to the existing elevation at their points of construction along the various alignments.

Details Regarding Construction and Operation of SGR's Proposed Rail Line:
Numbers 9 – 22 raise specific questions regarding the construction and operation of SGR's proposed rail line. Please provide the requested information for all alternatives identified to date (i.e. the proposed route, Alternative 1, Alternative 2, Alternative 3, SGR's Modified Medina Dam Route, MCEAA's Modified Medina Dam Route, and the Eastern Bypass Route) to the extent available.

9. Has SGR developed more detailed engineering plans regarding the proposed stream crossings for the various alternative rail routes, such as the location and design of bridges and culverts for each crossing? If so, please provide this information as well as the existing 100-year water surface elevations for all crossings.

10. Comments have indicated concern regarding the potential for rail operations to block emergency evacuation routes during flooding events. If SGR has developed any plans to address these concerns, please provide this information.

11. Please provide copies of any written correspondence from Duke Energy and Koch Pipeline regarding the pipeline crossings. Please provide the width of the Duke Energy pipeline. Does SGR have any additional information on the allegedly ruptured pipeline discussed on Page 3-3 of the Draft EIS?

12. Does SGR have any information on the location of existing water lines, sewer lines, and electrical utility lines potentially crossed by each alternative?

13. Has a Spill Containment and Countermeasures Plan (SPCC) been developed for the proposed rail line or the fueling and maintenance area? If so, please provide a copy of the SPCC Plan. As indicated in the comments of the U.S. Environmental Protection Agency (#EI-1313), any SPCC Plan should include a map showing recharge features in the Edwards Aquifer Recharge Zone (EARZ) in the vicinity

of the proposed rail line, and indicate measures to protect groundwater from contamination through those features.

14. In the Draft EIS, SEA recommended mitigation that would require SGR to utilize Best Management Practices to minimize the impacts of construction and operation to groundwater and surface water resources. Comments have requested specific information regarding the Best Management Practices that would be taken. If SGR has developed specific measures and Best Management Practices that would be taken to minimize impacts to groundwater and surface water resources, particularly for operations on and off the EARZ, please provide this information.

15. Please provide more detailed information on how the planned fueling facility would operate (e.g. storage and management of fuel, the thickness of the confining layer in the area, and safeguards against drainage of spills onto the recharge zone).

16. Based on oral representations from SGR, SEA has assumed that SGR's rail operations would take place during daytime hours (7 a.m. to 10 p.m.) for the purposes of SEA's noise analysis in the Draft EIS. Please verify that these operations would take place during daytime hours.

17. Would the water that SGR plans to use for construction, operation, and maintenance activities be obtained from local or other sources? Are there any applicable water appropriations requirements?

18. Please provide a description of how the proposed rail loading operations would take place at the rail loading track on the quarry site.

19. Has SGR determined whether the rail loading track on the quarry site would be a series of straight parallel tracks or a loop?

20. Would construction activities for the proposed rail loading track differ from construction activities for the construction of the rest of the rail line? If so, please describe how.

21. Please provide information regarding the number of private roadways and driveway crossings for each alignment and whether SGR has developed specific plans for these crossings.

22. Additional information regarding the proposed rail operations would be helpful in responding to comments. Commenters have requested the following information:

    - How long would loaded rail cars stand idle? How many cars would accumulate before shipment? Maximum number? Where would these unattended, loaded cars be parked? How would dust

be controlled in this area? Would the diesel locomotives be idling during loading? If so, for how long?

- If SGR plans to operate trains at speeds ranging from 12 to 25 miles per hour, why does the track design need to accommodate speeds of 40 miles per hour? If SGR could use speeds of 12 miles per hour going up one-degree grades, why could not speeds of 12 miles per hour be used to round curves?

- How long would a train sit on the rail line waiting to be transferred to the Union Pacific Railroad Company (UP) rail line? How would operations be coordinated with UP? Would cars be marshaled? How many trains would be on the rail line at one time?

- How would SGR connect to and move trains to and from the UP line? Would SGR move directly from the quarry to the main line without pausing? What would be the average speed of the train entering or exiting the quarry at County Road 353? What would be the estimated speed of the train entering or exiting the UP line? How much time would be required for a loaded train to accelerate from rest to 20 miles per hour? What would be the average speed of the train as it crosses County Road 353 from the quarry? What would be the days and hours of the train movements? Would UP's "Fall peak" period affect the quarry movements?

- Would crossings near the loading area experience very slow or stopped cars?

Trucks: Numbers 23-24 refer to the use of trucks being analyzed by SEA as part of the "no action" alternative.

23. How long would it take to construct the truck-to-rail remote loading facility proposed as part of trucking operations if SGR's rail line were not built? How many workers would be needed for the construction and operation of this facility?

24. SEA has assumed that the truck traffic to local markets, assessed as part of SEA's analysis of cumulative noise impacts in the Draft EIS, would take place during daytime hours (7 a.m. to 10 p.m.). Please verify that this is correct.

Proposed Quarry: Numbers 25 – 31 refer to specific questions that have been raised regarding VCM's proposed quarry, which SEA is assessing, at a minimum, as part of the cumulative impacts analysis.

25. In a letter dated February 15, 2005, you submitted information regarding several permitting processes for Vulcan Construction Materials, LP's (VCM) new quarry.

You stated that VCM had received an air quality permit for a temporary rock crusher from the Texas Commission on Environmental Quality (TCEQ), was in the process of applying for a water pollution abatement plan (WPAP) from TCEQ, and would be applying for a storm water permit from TCEQ. Please provide an update on the permitting processes for the quarry.

26. According to information provided by the Medina County Floodplain Administrator, Medina County's floodplain permitting process follows the requirements of the Federal Emergency Management Agency's National Flood Insurance Program, set forth at 44 CFR 60.3, which was developed to implement the National Flood Insurance Act of 1968, as amended, and the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4001 *et. seq*. Has VCM begun consultation with the Floodplain Administrator to determine whether a floodplain permit would be required for the quarry? According to our review of the applicable regulations and a recent telephone conversation with the Floodplain Administrator, it appears that the Floodplain Administrator would need to make a determination that no permit is needed or would need to issue a permit prior to VCM beginning construction activities at the quarry.

27. Please provide a georeferenced digital map of the footprint of the quarry as well as a drainage plan for the quarry. This plan should show how flows that would enter the pit would be diverted, and where these diverted flows would be discharged downstream or adjacent to the quarry. Please provide the design capacities of the diversion structures.

28. Please provide specific information about blasting activities at the quarry, including the approximate frequency and duration of blasting activities. This should include information about how blasting activities would be regulated and information about the distances at which blasting effects could affect sensitive structures (e.g. historic structures, wells). Please provide any information about the specific location of sensitive structures in relation to the quarry site. Any methodology used or information provided should be clearly explained and referenced.

29. Will the quarry be dewatered during mining operations? If so, how will stormwater and wastewater be treated? Please provide an update on the WPAP application process. Also, please provide all technical reports and supporting documents and maps used for the WPAP application, as well as agency and consultant contact information.

30. SEA's analysis of cumulative transportation and traffic safety impacts in the Draft EIS estimated that about 100 quarry employee cars would use roadways in the project area each workday, based on information provided by SGR. Please verify that this is correct.

31. Please provide information on the purpose and design of the proposed buffer zones around the quarry site.

We thank you in advance for your cooperation and your response to this information request. SEA also encourages the submission of any additional information SGR may have that is responsive to the comments received on the Draft EIS or any new voluntary mitigation measures SGR may be developing to address the concerns raised by commenters. If you need additional information or have any questions, please do not hesitate to contact me or Rini Ghosh of my staff at (202)565-1539.

Sincerely,

Victoria Rutson
Chief
Section of Environmental Analysis